

U.S. DISTRICT COURT

CONCORD N.H.

UNITED STATES OF AMERICA

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V

JOHNATHON IRISH

13-CR-00142-PB-1

U.S. DISTRICT COURT
DISTRICT OF N.H.
FILED
2015 APR 4 PM 25

MOTION TO REQUEST COURT WAVE TRANSCRIPT FEES FOR MINUTES OF HEARINGS

Now comes Johnathon Irish, Pro Se, with a **MOTION TO REQUEST THE COURT WAVE TRANSCRIPT FEES FOR MINUTES OF HEARINGS** and says that:

1. Mr. Irish was originally charged with Five counts of Indictment, Count One, Aiding and Abetting the Making of a Material False Statement in Connection to Acquisition of a Firearm, Counts Two and Three, Making a Material False Statement To a Federal Agent, Count Four, Engaging In The Business Of Dealing Firearms Without a Federal Firearms License, and Count Five, Being a Prohibited Person In Possession Of Firearms For Being a Habitual Marijuana User. Counts Three, Four and Five were dismissed by the United States Attorney's Office in October of 2014, and when Mr. Irish was scheduled for Trial on 11 December 2014, on that morning he instead signed a plea agreement pleading to Counts One And Two with a sentence of 18 Months and Three Years of Supervised Release. Mr. Irish was subsequently sentenced to 18 months on 19 February 2015 and was released on time served the following day, 20 February 2015 on Three Years of Supervised release.

2. Mr. Irish was appointed counsel by this court do to his indigent status and inability to obtain counsel of his own due to his indigent status, and is currently awaiting approval for his disability payments to be reinstated and is indigent and currently has NO income and is supported by his wife who is on state assistance in order to survive and pay rent and utilities and can NOT afford to pay the required fees for transcripts of hearing minutes without neglecting rent and utilities putting his family in financial jeopardy.
3. Mr. Irish is in the process of reviewing and investigating as required for proper and adequate drafting and filing of 2255 claim/appeal.
4. The transcripts and minutes of hearings are imperative to the investigation, review and filing of appeal, therefore Mr. Irish requires said transcripts of minutes of hearings to properly, adequately and effectively draft said 2255 claim/appeal.
5. The transcripts and minutes of hearings of which are being requested, very well may be key evidence used in Mr. Irish's appeal, therefore are required by Mr. Irish, again Mr. Irish is indigent and can NOT afford to pay the fees for transcripts and minutes of hearings without putting his family in financial jeopardy.
6. The transcripts and minutes of hearings are \$3.65 per page, and some hearings are transcripts and minutes of was two hours and thirteen minutes in length, one hundred and ten pages of transcript, totaling out to a cost of \$401.50 for the transcript of that one specific hearing, and that is only one of several that the defendant will REQUIRE for investigation and review to draft and file appeal. Again,

the defendant cannot afford these fees without putting his wife and minor child in financial jeopardy.

7. Were as Mr. Irish is financially indigent, as explicitly explained above which the court found Mr. Irish financially indigent whereas the court appointed counsel, Mr. Irish respectfully requests that the court, wave ALL fees associated with and for the transcripts and minutes of the following hearings as they appear of the Docket List.
8. 1) 16 April 2014, Status Of Counsel Hearing, 2) 30 July 2014 STATUS OF COUNSEL HEARING, 3) 23 September 2014 STATUS OF COUNSEL HEARING, 4) 03 November 2014, MOTION HEARING APPOINTMENT OF NEW COUNSEL, 5) 11 December 2014, ORIGINALLY SET AS TRIAL DATE HOWEVER PLEA WAS SIGNED IN LU, 6) 19 February 2015, SENTENCING.
9. In the interest of Justice, Mr. Irish respectfully requests that:
 - 1) This Court grant this motion and wave ALL fees involved and associated with the transcripts and minutes of the above mentioned hearings so that Mr. Irish may properly and adequately prepare his appeal in this matter, whereas without the above mentioned minutes and transcripts Mr. Irish cannot properly and adequately prepare his appeal , and again Mr. Irish can NOT financially afford the cost of the transcripts and minutes due do his indigent status, which is why this Court appointed counsel to Mr. Irish, Mr. Irish requests that this court wave ALL fees involved and associated with the above mentioned hearings specifically outlined in paragraph 7, and reserves the right to request any other minutes and transcripts should the need arise. OR;

2) That this Court schedule a hearing in this matter in a timely manner as to preserve the time frame of Mr. Irish's appeal, whereas Mr. Irish must still review all of these transcripts and draft them into his 2255 claim/appeal.

Respectfully Submitted,

Johnathon S. Irish

Pro-Se

A handwritten signature in black ink, appearing to read "Johnathon S. Irish".

24
April, 2015

Date: 24 April, 2015


Signature

MEMORANDUM OF LAW

Pursuant to LR 7.1(a)(2), every motion shall be accompanied by a memorandum with citations to supporting authorities or a statement explaining why a memorandum is unnecessary.

- I have attached a supporting memorandum of law to this motion.
- I have NOT attached a memorandum of law because none is required (explain your reasoning below). *Do not know memorandum*

CONCURRENCES SOUGHT

Pursuant to LR 7.1(c), any party filing a motion other than a dispositive motion (a dispositive motion seeks an order disposing of one or more claims in favor of the moving party, for example, a motion to dismiss or a motion for summary judgment) shall certify to the court that a good faith attempt has been made to obtain concurrence/agreement in the relief sought. If concurrence is obtained, the moving party shall so note.

I certify the following (choose one):

- All parties have assented/agreed to this motion.
- I made a good faith attempt, but was unable to successfully obtain concurrence/agreement from all parties.
- I have NOT attempted to obtain concurrence/agreement because it is not required.

CERTIFICATE OF SERVICE

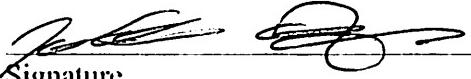
I hereby certify that this motion was served on the following persons on the date and in the manner specified below:

Person(s) served electronically (via ECF):

Person(s) served by mail. Please include address(es): *Nick Abramson U.S.A. office
53 Pleasant St. Concord N.H. 03301*

Person(s) served by hand:

Date of Service: 24 April, 2015


Signature

Jonathan S. Irish
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